



## STAFF REPORT

DATE: OCTOBER 16, 2012  
TO: HONORABLE MAYOR AND CITY COUNCIL  
FROM: ROD FOSTER, CITY MANAGER  
PREPARED BY: AMER JAKHER, P.E., PUBLIC WORKS DIRECTOR  
SUBJECT: CONSTRUCTION CONTRACT AWARD FOR MT. VERNON AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT

### RECOMMENDED ACTION

It is recommended that the City Council Authorize the award of a construction contract for the Mt. Vernon and Valley Blvd Traffic Signal Modification - Project No. STPLH-5065-011 (Surface Transportation Program Local Hazard Elimination) to PTM General Engineering Services, Inc. as the lowest responsive and responsible bidder in the amount of \$53,305, and ratify the bid of Rakan, Inc. as non-responsive and non-responsible.

### GOAL STATEMENT

The proposed action will support the City's goal to improve traffic circulation and public safety.

### BACKGROUND

The Hazard Elimination Safety (HES) Program provides funds for safety improvements on any public road, surface transportation facility, bicycle or pedestrian pathway, and traffic calming improvements. The funds are provided to aid local agencies to improve their transportation system so that accident prone areas are improved for public safety.

The HES funds apply to those projects which meet one of the following two category requirements: safety index and work type. Safety Index projects are determined by the level of accidents the proposed improvement would deter based on number of accidents that have occurred at the proposed site during the past three years and the type of improvement. Work Type projects are any projects which do address traffic safety concerns but do not have the ability to quantify data to submit a 'Safety Index Calculation Form.'

### ISSUES/ANALYSIS

In accordance with Colton Municipal Code (CMC) Section 3.08.110, Ordinance 0-12-03, staff solicited and received bids for the Mt. Vernon and Valley Blvd Traffic Signal Modification Project. Ten (10) bid proposals were received from contractors. The sealed bid opening took place on July 11, 2012 at 3:00 p.m. in the City Hall Conference Room. The bids received are as follows:

- |                                  |             |
|----------------------------------|-------------|
| 1. Rakan, Inc.                   | \$46,800.00 |
| 2. PTM General Engineering, Inc. | \$53,305.00 |

3. VT Electric, Inc.	\$55,040.00
4. KDC, Inc. dba Dynalectric	\$56,250.00
5. JFL Electric, Inc.	\$63,212.00
6. Steiny and Company, Inc.	\$63,326.00
7. California Professional Engineering, Inc.	\$64,888.00
8. Flatiron Electric Group, Inc.	\$65,790.00
9. TSR Construction and Inspection.	\$67,400.00
10. DBX, Inc.	\$72,342.00

Staff has evaluated and reviewed each submitted bid. The apparent lowest bidder, Rakan, Inc., shall be deemed non-responsive and non-responsible due to an unverifiable completed project history and fictitious phone number provided on the bid. A letter of non-responsibility was sent to Rakan, Inc. on September 12, 2012 (Exhibit C) and Rakan, Inc. was afforded an opportunity to have a due process hearing regarding the non-responsibility determination. Rakan, Inc. has not requested such a hearing. The second lowest bidder is within the Engineer's Estimate of \$55,000 and within the project budget. Staff recommends award of a construction contract to the lowest responsive and responsible bidder, PTM General Engineering, Inc., in the amount of \$53,305.

### **FISCAL IMPACTS**

Funds for the construction of this project are budgeted in Capital Improvement Funds Accounts #450-0705-6987-3890 and 450-0705-6900-3890. The available funding from these accounts is \$40,441. Additional funds needed to complete the project (\$18,500) will be allocated from Account No. 450-1202-6970-3890 (Citywide Street Rehabilitation and Traffic Improvement Project). The funding for this project is budgeted from 2012/2013 Measure I Citywide Street Rehabilitation and Traffic Improvement. Resolution R-68-12 appropriating the funding is also being considered for approval on the 16<sup>th</sup> of October, 2012.

### **ENVIRONMENTAL IMPACTS**

Under National Environmental Policy Act (NEPA), the project is categorically exempt as approved by Caltrans on May 21, 2009. The project is also Categorical Exempt under California Environmental Quality Act (CEQA). A Notice of Exemption will be filed with County Clerk should the Council take the action recommended by the Staff.

### **ALTERNATIVES**

1. Provide alternative direction to staff.

### **ATTACHMENTS**

1. Exhibit A – Contract.
2. Exhibit B – Non-responsive bid
3. Exhibit C – Letter of non-responsibility sent to Rakan, Inc.

## **Exhibit A**

Contract Mt. Vernon and Valley Blvd Traffic Signal Modification  
Project No. STPLH 5065(011)

## CONTRACT

THIS CONTRACT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2012, in the County of San Bernardino, State of California, by and between the City of Colton, hereinafter called City, and \_\_\_\_\_, hereinafter called Contractor. The City and the Contractor for the considerations stated herein agree as follows:

**ARTICLE 1. SCOPE OF WORK.** The Contractor shall perform all Work within the time stipulated the Contract and shall provide all labor, materials, equipment, tools, utility services, and transportation to complete all of the Work required in strict compliance with the Contract Documents as specified in Article 5 below for the following Project:

### **MT. VERNON AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)**

The Contractor and its surety shall be liable to the City for any damages arising as a result of the Contractor's failure to comply with this obligation.

**ARTICLE 2. TIME FOR COMPLETION.** The Work shall be commenced on the date stated in the City's Notice to Proceed. The Contractor shall complete all Work required by the Contract Documents within **SIXTY(60)** calendar days from the commencement date stated in the Notice to Proceed. By its signature hereunder, Contractor agrees the time for completion set forth above is adequate and reasonable to complete the Work.

**ARTICLE 3. CONTRACT PRICE.** The City shall pay to the Contractor as full compensation for the performance of the Contract, subject to any additions or deductions as provided in the Contract Documents, and including all applicable taxes and costs, the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_). Payment shall be made as set forth in the General Conditions.

**ARTICLE 4. LIQUIDATED DAMAGES.** In accordance with Government Code section 53069.85, it is agreed that the Contractor will pay the City the sum of **\$500.00** for each and every calendar day of delay beyond the time prescribed in the Contract Documents for finishing the Work, as Liquidated Damages and not as a penalty or forfeiture. In the event this is not paid, the Contractor agrees the City may deduct that amount from any money due or that may become due the Contractor under the Contract. This Article does not exclude recovery of other damages specified in the Contract Documents.

**ARTICLE 5. COMPONENT PARTS OF THE CONTRACT.** The "Contract Documents" include the following:

- Notice Inviting Bids
- Instructions to Bidders
- Contractor's Bid Forms
- Contractor's Certificate Regarding Workers' Compensation
- Bid Bond

Designation of Subcontractors  
Information Required of Bidders  
Non-Collusion Affidavit form  
Contract  
Performance Bond  
Payment (Labor and Materials) Bond  
General Conditions  
Special Provisions (or Special Conditions)  
Technical Specifications  
Greenbook Standard Specifications (Sections 1-9 Excluded)  
Addenda  
Plans and Contract Drawings  
Approved and fully executed change orders  
Any other documents contained in or incorporated into the Contract

The Contactor shall complete the Work in strict accordance with all of the Contract Documents.

All of the Contract Documents are intended to be complementary. Work required by one of the Contract Documents and not by others shall be done as if required by all. This Contract shall supersede any prior agreement of the parties.

**ARTICLE 6. PROVISIONS REQUIRED BY LAW.** Each and every provision of law required to be included in these Contract Documents shall be deemed to be included in these Contract Documents. The Contractor shall comply with all requirements of applicable federal, state and local laws, rules and regulations, including, but not limited to, the provisions of the California Labor Code and California Public Contract Code which are applicable to this Project.

**ARTICLE 7. INDEMNIFICATION.** Contractor shall provide indemnification as set forth in the General Conditions.

**ARTICLE 8. PREVAILING WAGES.** Contractor shall be required to pay the prevailing rate of wages in accordance with the Labor Code which such rates shall be made available at Public Works Department or may be obtained online at <http://www.dir.ca.gov/dlsr>. and which must be posted at the job site. If the Work involves federal funds or otherwise requires compliance with the Davis-Bacon Fair Labor Standards Act, the Contractor and all its subcontractors shall comply with the higher of the state or federal prevailing wage rates.

IN WITNESS WHEREOF, this Contract has been duly executed by the above-named parties, on the day and year above written.

**CITY OF COLTON**

**By:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

**Attest:**

\_\_\_\_\_  
City Clerk

**Recommended By:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

**PTM GENERAL ENGINEERING, INVC.**

**By:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
License Number

## BID FORM

NAME OF BIDDER: PTM General Engineering Service Inc.

The undersigned, hereby declare that we have carefully examined the location of the proposed Work, and have read and examined the Contract Documents, including all plans, specifications, and all addenda, if any, for the following Project:

### MT. VERNON AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)

We hereby propose to furnish all labor, materials, equipment, tools, transportation, and services, and to discharge all duties and obligations necessary and required to perform and complete the Project for the following TOTAL BID PRICE:

BASE BID	BASE BID PRICE (IN WRITTEN FORM)	BID PRICE (IN NUMBERS)
TOTAL BID PRICE	fifty three thousand three hundred and five dollars zero Cents.	53305-

In case of discrepancy between the written price and the numerical price, the written price shall prevail.

BID FORM

## BID SCHEDULE

### MT. VERNON AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)

TIME OF COMPLETION: 60 CALENDAR DAYS

TEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENDED AMOUNT
1.	Traffic Signal and lighting system (Including all Electrical Equipment and Concrete Work)	LS	1	45245-	45245-
2.	Signing and Striping Removal (by Wet Sandblasting)	LS	1	2420-	2420-
3.	Signing and Striping Installation (Thermoplastic)	LS	1	2640-	2640-
4.	Temporary Traffic Control	LS	1	1000-	1000-
5.	Mobilization	LS	1	2000-	2000-

TOTAL BID PRICE :

53305-

Total Bid Price in Numbers

fifty three thousand three hundred and five dollars zero Cents.  
Total Bid Price in Written Form

In case of discrepancy between the unit price and the item cost set forth for a unit basis item, the unit price shall prevail and, shall be utilized as the basis for determining the lowest responsive, responsible bidder. However, if the amount set forth as a unit price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or is the same amount as the entry in the "Item Cost" column, then the amount set forth in the "Item Cost" column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the unit price. Final payment shall be determined by the Engineer from measured quantities of work performed based upon the unit price.

In case of discrepancy between the written price and the numerical price, the written price shall prevail.

BID SCHEDULE



The undersigned agrees that this Bid Form constitutes a firm offer to the City which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Bids from and after the bid opening, or until a Contract for the Work is fully executed by the City and a third party, whichever is earlier.

The Contract duration shall commence on the date stated in the City's Notice to Proceed, and shall be completed by the Contractor in the time specified in the Contract Documents. In no case shall the Contractor commence construction prior to the date stated in the City's Notice to Proceed.

Bidder certifies that it is licensed in accordance with the law providing for the registration of Contractors, License No. 891265, Expiration Date 2/2013, class of license A, C10. If the bidder is a joint venture, each member of the joint venture must include the above information.

The undersigned acknowledges receipt, understanding and full consideration of the following addenda to the Contract Documents.

1. Addenda No. 1 thru 4 (total 4 addendum per Aftab on 7/10/12 on 3:19pm)
2. Attached is the required bid security in the amount of not less than 10% of the Total Bid Price.
3. Attached is the fully executed Non-Collusion Affidavit form.
4. Attached is the completed Designation of Subcontractors form.
5. Attached is the completed Bidder Information Form.
6. Attached is the completed Contractor's Certificate Regarding Workers' Compensation form.
7. Bidder acknowledges and understands that, pursuant to Public Contract Code Section 20676, sellers of "mined material" must be on an approved list of sellers published pursuant to Public Resources Code Section 2717(b) in order to supply mined material for this Contract.

I hereby certify under penalty of perjury under the laws of the State of California, that all of the information submitted in connection with this Bid and all of the representations made herein are true and correct.

Name of Bidder PEM General Engineering Service Inc.

Signature 

Name and Title Brian Mendoza, Vice President/Secretary

Dated 7/10/2012

**BID SCHEDULE**

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**CONTRACTOR'S CERTIFICATE REGARDING  
WORKERS' COMPENSATION**

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract.

Name of Bidder PTM General Engineering Service Inc.

Signature 

Name Brian Mendoza

Title Vice President/Secretary

Dated 7/10/2012

**CONTRACTOR'S CERTIFICATE REGARDING  
WORKERS' COMPENSATION**

**BID BOND**

The makers of this bond are, PTM GENERAL ENGINEERING SERVICES, INC., as Principal, and INTERNATIONAL FIDELITY INSURANCE COMPANY, as Surety and are held and firmly bound unto the City of Colton, hereinafter called the City, in the penal sum of TEN PERCENT (10%) OF THE TOTAL BID PRICE of the Principal submitted to CITY for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the accompanying bid dated July 11, 20 12, for MT. VERNON AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)

If the Principal does not withdraw its bid within the time specified in the Contract Documents; and if the Principal is awarded the Contract and provides all documents to the City as required by the Contract Documents; then this obligation shall be null and void. Otherwise, this bond will remain in full force and effect.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract Documents shall in affect its obligation under this bond, and Surety does hereby waive notice of any such changes.

In the event a lawsuit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all litigation expenses incurred by the City in such suit, including reasonable attorneys' fees, court costs, expert witness fees and expenses.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals this 15TH day of JUNE, 2012, the name and corporate seal of each corporation.

(Corporate Seal)

PTM GENERAL ENGINEERING SERVICES, INC.

Principal

By

Title

Brian Mondon, Vice President / Secretary  
INTERNATIONAL FIDELITY INSURANCE COMPANY

(Corporate Seal)

Surety

By

Attorney-in-Fact

(Attach Attorney-in-Fact Certificate)

Title PHILIP VEGA, ATTORNEY-in-FACT

**BID BOND**

STATE OF CALIFORNIA )  
 )  
CITY OF Riverside )

SS.

On this 10th day of July, in the year 2009, before me,  
\_\_\_\_\_, a Notary Public in and for said state, personally appeared  
\_\_\_\_\_, known to me to be the person whose name is  
subscribed to the within instrument as the Attorney-In-Fact of the (Surety) acknowledged to me  
that he subscribed the name of the \_\_\_\_\_ (Surety) thereto and his  
own name as Attorney-In-Fact.

\_\_\_\_\_  
Notary Public in and for said State

(SEAL)

Commission expires: \_\_\_\_\_

NOTE: A copy of the Power-of-Attorney to local representatives of the bonding company must  
be attached hereto.

**BID BOND**

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Tel (973) 624-7200

# POWER OF ATTORNEY

## INTERNATIONAL FIDELITY INSURANCE COMPANY ALLEGHENY CASUALTY COMPANY

ONE NEWARK CENTER, 20TH FLOOR NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of New Jersey, and ALLEGHENY CASUALTY COMPANY a corporation organized and existing under the laws of the State of Pennsylvania, having their principal office in the City of Newark, New Jersey, do hereby constitute and appoint

KEVIN E. VEGA, BRITTON CHRISTIANSEN, MYRNA SMITH, PHILIP E. VEGA

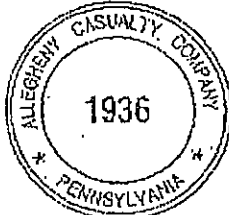
Covina, CA.

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 20th day of July, 2010 and by the Board of Directors of ALLEGHENY CASUALTY COMPANY at a meeting duly held on the 15th day of August, 2000:

"RESOLVED, that (1) the President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY have each executed an attested these presents on this 12th day of March, 2012.



STATE OF NEW JERSEY  
County of Essex

ROBERT W. MINSTER  
Executive Vice President/Chief Operating Officer  
(International Fidelity Insurance Company)  
and President (Allegheny Casualty Company)

On this 12th day of March 2012, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.



A NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Mar. 27, 2014

### CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 15TH day of JUNE, 2012

MARIA BRANCO, Assistant Secretary

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**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Los Angeles

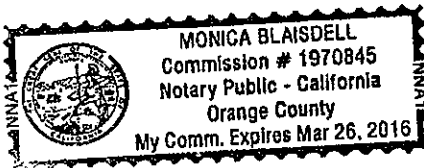
On JUN 14 2012

before me, Monica Blaisdell, Notary Public

Here Insert Name and Title of the Officer

personally appeared Philip Vega

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Monica Blaisdell

Signature of Notary Public

Place Notary Seal Above

## All Purpose Acknowledgement

State of California  
County of Riverside

On 7/10/2012, before me, Elizabeth H. M. McRae,  
(date) (notary)

personally appeared, Brian Mendoza,  
(signers)

- ☐ personally known to me — OR — ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies) and that by his/~~her/their~~ signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument



(seal)

WITNESS my hand and official seal

[Signature]  
(notary signature)

### OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

#### CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☐ Individual  
☐ Corporation Officer  
\_\_\_\_\_  
title(s)
- ☐ Partner(s)  
☐ Attorney-in-Fact  
☐ Trustee(s)  
☐ Guardian/Conservator  
☐ Other:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### DESCRIPTION OF ATTACHED DOCUMENT

\_\_\_\_\_  
Title or Type of Document

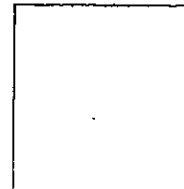
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Number of Pages

\_\_\_\_\_  
Date of Document

\_\_\_\_\_  
Other

SIGNER IS REPRESENTING:  
Name of Person(s) OR Entity(ies)  
\_\_\_\_\_  
\_\_\_\_\_

Right Thumbprint  
of Signer  
(if required)



## CERTIFICATE OF CORPORATE RESOLUTION

I, Brian Mendoza, Secretary of PTM General Engineering Services, Inc., (Corporation) do hereby certify that at a duly constituted meeting of the Stockholders and Directors of the Corporation held at the office of the Corporation on December 30, 2007 (year), it was upon motion duly made and seconded, that it be VOTED: Elizabeth H. Mendoza de McRae, President/CFO .....  
OR.... Brian Mendoza, Vice President/Secretary  
Authorized to sign & execute contracts and submit bids with either one of the corporate officer's signatures.

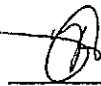
It was upon further motion made and seconded that it be further VOTED: That Elizabeth H. Mendoza de McRae, President/CFO .....OR.... Brian Mendoza, Vice President/Secretary in the capacity as of the Corporation is empowered, authorized and directed to execute, deliver and accept any and all documents and undertake all acts reasonably required or incidental to accomplish the foregoing vote, all on such terms and conditions as he in his discretion deems to be in the best interests of the Corporation.

I further certify that the foregoing votes are in full force this date without rescission, modification or amendment.

Signed this 10th day of July, 2012 (year).

A TRUE RECORD

ATTEST



Brian Mendoza  
Secretary/Clerk Vice President/Secretary

(Corporate Seal)



### DESIGNATION OF SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act of the Public Contract Code of the State of California, each bidder shall set forth below: (a) the name and the location of the place of business and (b) the portion of the work which will be done by each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the work in an amount in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price. Notwithstanding the foregoing, if the work involves streets and highways, then the Contractor shall list each subcontractor who will perform work or labor or render service to Contractor in or about the work in an amount in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price or \$10,000, whichever is greater. No additional time shall be granted to provide the below requested information.


If no subcontractor is specified, for a portion of the work, or if more than one subcontractor is specified for the same portion of Work, to be performed under the Contract in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price or \$10,000, whichever is greater if the work involves streets or highways, then the Contractor shall be deemed to have agreed that it is fully qualified to perform that Work, and that it shall perform that portion itself.

Portion of the Work	Subcontractor	Location of Business	% of the Work
NONE			

DESIGNATION OF SUBCONTRACTORS

Portion of the Work	Subcontractor	Location of Business	% of the Work
NONE			

Name of Bidder PTM General Engineering Service Inc.

Signature 

Name and Title Brian Mendoza, Vice President/Secretary

Dated 7/10/2012

**DESIGNATION OF SUBCONTRACTORS**

## INFORMATION REQUIRED OF BIDDERS

### A. INFORMATION ABOUT BIDDER

[\*\*Indicate not applicable ("N/A") where appropriate.\*\*]

NOTE: Where Bidder is a joint venture, pages shall be duplicated and information provided for all parties to the joint venture.

1.0 Name of Bidder: PTM General Engineering Service Inc.

2.0 Type, if Entity: Corporation

3.0 Bidder Address: 5942 Acorn Street, Riverside, CA 92504

951-710-1006

951-710-1000

Facsimile Number

Telephone Number

4.0 How many years has Bidder's organization been in business as a Contractor?  
22 years

5.0 How many years has Bidder's organization been in business under its present name? 5 years

5.1 Under what other or former names has Bidder's organization operated?: 1. Brian Mendoza, Sole Owner of Freeway Electric CSLB 684572

2. Elizabeth McRae, Sole Owner of Jade Electric CSLB 584573

6.0 If Bidder's organization is a corporation, answer the following: 3. Brian Mendoza, President/CFI of

6.1 Date of Incorporation: 10/6/2006 Freeway Electric Inc. CSLB 947817

6.2 State of Incorporation: California 4. Elizabeth McRae, V.P./Secretary of

6.3 President's Name: Elizabeth McRae

6.4 Vice-President's Name(s): Brian Mendoza

6.5 Secretary's Name: Brian Mendoza

6.6 Treasurer's Name: Elizabeth McRae

## INFORMATION REQUIRED OF BIDDERS

7.0 If an individual or a partnership, answer the following: Not Applicable

7.1 Date of Organization: \_\_\_\_\_

7.2 Name and address of all partners (state whether general or limited partnership):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8.0 If other than a corporation or partnership, describe organization and name principals:  
Not Applicable  
\_\_\_\_\_  
\_\_\_\_\_

9.0 List other states in which Bidder's organization is legally qualified to do business.  
None  
\_\_\_\_\_  
\_\_\_\_\_

10.0 What type of work does the Bidder normally perform with its own forces?  
General Contracting, electrical installation, minor concrete;  
dry and wet utilities  
\_\_\_\_\_  
\_\_\_\_\_

11.0 Has Bidder ever failed to complete any work awarded to it? If so, note when, where, and why:  
No  
\_\_\_\_\_  
\_\_\_\_\_

12.0 Within the last five years, has any officer or partner of Bidder's organization ever been an officer or partner of another organization when it failed to complete a contract? If so, attach a separate sheet of explanation:  
No  
\_\_\_\_\_  
\_\_\_\_\_

**INFORMATION REQUIRED OF BIDDERS**

14.0 List Trade References:

City of National City, Mr. Manganiello Tel 619-336-4380

Cal Trans, Attn: Mr. Joe Obadike, Tel: 951-830-6821

City of Hawthorn, Attn: Mr. Alan Leung, Tel: 310-349-2997

Cal Trans, Attn: Mr. Mike Bergrave, Tel: 951-232-3917

15.0 List Bank References (Bank and Branch Address):

Premier Service Bank

Corona Branch, 102 E. Sixth Street, Corona, CA 92879

Tel: 951-817-1247 Contact person: Tim

16.0 Name of Bonding Company and Name and Address of Agent:

Bonding: Contractor & Developers Bonding Attn: Phil Vega

534 E. Badillo Street, Covina, CA 91723

Commercial Insurance: McRae & Associates Attn: Patrick McRae

1290 N. Hancock Ave. #210, Tel: 714-779-6999

**B. LIST OF CURRENT PROJECTS (Backlog)**

[\*\*Duplicate Page if needed for listing additional current projects.\*\*]

Project	Description of Bidder's Work	Completion Date	Cost of Bidder's Work	Contact Name & Phone
See attachment				

**INFORMATION REQUIRED OF BIDDERS**

**PTM General Engineering Service Inc. Current Contract on Hand**

Contract Description & Location (Input)		1	5
		Total	%
		Contract	Compl
		Price	4/2
		(Input)	
P10-02	T.S. KIRBY ST. & DEVONSHIRE AVE.	467,503	100.0%
P10-03	CHULA VISTA UPGRADE OF T.S.	244,457	100.0%
P10-04	T.S. MOD. PLAN AT CAL OAKS RD	140,331	100.0%
P10-06	PIONEER PARK SECURITY LIGHTING	334,600	90.8%
P10-08	CLAY ST. & DE ANZA PLAZA DR.	211,939	100.0%
P10-10	EL TORO ROAD & ROUTE 5	18,888	100.0%
P10-11	RIDGECREST-NORMA ST TO WEST	258,058	0.5%
P10-12	ROGER ELEMENTARY SCHOOL - PED	60,597	100.0%
P10-13	INST LED INTERNALLY ILLUMINATE	270,776	100.0%
P10-14	PHASE 2 VILLAGE ENHANCED PED.	484,398	100.0%
P10-17	MANGO & SEVILLE TRAFFIC SIGNAL	79,088	100.0%
P10-18	INDIAN CANYON DR. & VISTA CHINO	203,203	96.8%
P10-19	08-0Q2904 RTE18 IN SAN BERNARDINO	151,376	100.0%
P10-20	08-DQ3104 SAN BERNARDINO	194,766	100.0%
P10-21	12A1317 CONVERT HOV BYPASS	94,085	47.9%
P11-01	STREET LIGHTING IMPROVEMENT	372,910	78.1%
P11-02	T.S. & SAFETY LIGHTING IMPROV.	84,084	0.0%
P11-03	06A1677 Upgrade Traffic Signal	161,061	0.0%
P11-04	Mitchell Ave/UTT Dr Pedestrian	72,070	15.6%
P11-05	TRAFFIC SIGNAL AT 3 LOCATIONS	767,067	1.5%
P11-06	CROSSWALK WARNING LIGHT SYSTEM	75,375	1.6%
P11-07	12A1366 BEACH BLVD. RTE 39	52,250	0.0%
P11-08	12-0L2604 MODIFY SIGNAL	221,021	1.6%
P11-09	06-0H8304 KERN COUNTY	425,225	2.6%
P11-10	12-0L5504 COSTA MESA	354,453	1.7%
P11-11	TRAFFIC SIGNAL, LIGHTING SYSTEM	237,037	1.7%
TOTAL		6,036,618	N/A

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[illegible]

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#### **D. EXPERIENCE AND TECHNICAL QUALIFICATIONS QUESTIONNAIRE**

##### ***Personnel:***

The Bidder shall identify the key personnel to be assigned to this project in a management, construction supervision or engineering capacity.

1. List each person's job title, name and percent of time to be allocated to this project:

See attachment

2. Summarize each person's specialized education:

See attachment

3. List each person's years of construction experience relevant to the project:

See attachment

4. Summarize such experience:

See attachment

Bidder agrees that personnel named in this Bid will remain on this Project until completion of all relevant Work, unless substituted by personnel of equivalent experience and qualifications approved in advance by the City.

*Brian Mendoza*  
P.O. Box 7745 Riverside, CA 92513-7745  
Email: brian@ptm-eng.com • Cell 951.722.5755

---

### **Chief Estimator and Supervisor of Outside Operations**

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Supervisor of outside operations with over 18 years of experience. Electrician with over 20 years of experience. An effective communicator and team leader; experienced in coordinating and executing large and fast-paced projects.

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### **CAREER EXPERIENCE**

**Freeway Electric/PTM General Engineering Services, Inc. Riverside, CA**  
06/2006 to Date

#### **Chief Estimator/Supervisor of Outside Operations**

In charge of managing the estimating department and finalizing bid packages; coordinating the beginning phase of an awarded project between the company and agency. Project submittals, contract review. Coordinated and managed crews California region; handled various sized projects ranging in size from \$1,000 to \$4.5 million dealing with dry utilities, wet utilities, traffic signals, and road improvements. Maintained coordination Freeway Electric/PTM General Engineering and subcontractor, and project owners. In charge of handling project's administrative work; monthly gross estimates, project progress schedule, materials requisitions, contract change order negotiations and equipment purchase and rentals.

**High Light Electric Inc./Pete & Sons Construction Inc. Riverside, CA**  
10/96 to 06/2006

#### **Chief Estimator**

In charge of managing the estimating department and finalizing bid packages. Coordinating the beginning phase of an awarded project between the company and agency or prime contractor; project submittals, contract review. Successfully bid on projects totaling \$12 million with an average spread 6%.

#### **Area Supervisor**

Coordinated and managed 10 crews consisting of 6 members per team in the southern California region; handled various sized projects ranging in size from \$1,000 to \$4.5 million dealing with dry utilities, wet utilities, traffic signals, and road improvements. Maintained coordination between High Light Electric Inc and subcontractor, general contractor and project owners. In charge of handling project's administrative work; monthly gross estimates, project progress schedule, materials requisitions, contract change order negotiations and equipment purchase and rentals.

*Continued...*

CAREER EXPERIENCE CONTINUED

MBE Electric Inc. in Riverside, CA

10/1998-10/1996

Vice President and Head of Outside Operations

Managed outside operations for all projects ranging in size from \$1 to \$2.5 million. Headed an around the clock electric crew and coordinated with CC Meyes to repair the I-10 Santa Monica Freeway after it collapsed during the 1994 Northridge Earthquake to complete the fast paced project in 66 days. Maintain coordination between MBE Electric and subcontractors, general contractor and project owners; implemented and enforced safety guidelines. Handled administrative work; monthly progress estimates, material requisitions, contract change order negotiations.

Vaseo Corporation in San Fernando, CA

10/1987-06/1998

Foreman (Part Time)

Managed day to day operations of work crews and various projects ranging in size from \$1,000 to \$5,000 in Eastern Los Angeles County; traffic signals, street lighting, signal interconnect.

Raymor Electric in Rosemead, CA

06/1986-10/1987

Crew Leader (Part Time)

In charge of work crew on projects ranging from \$25,000 to \$250,000 through out Los Angeles County.

WORK SKILLS

- Capable of operating heavy equipment such as skip loaders, cranes, and backhoes;
- Hands-on experience with hand tools and power tools;
- Capable of overseeing fast-paced and high profile projects;
- An effective communicator and leader;

EDUCATION

- International Brotherhood of Electrical Workers  
Completed training course (1988-1989) in street lighting and traffic signal installations, code enforcement and blue print reading.
- South Gate High School  
Received High School diploma in 1988

CAREER EXPERIENCE CONTINUED

PROFESSIONAL MEMBERSHIPS

- International Brotherhood of Electrical Workers (IBEW)
- National Electrical Contractors Association (NECA)

ACCREDITATION

- IBEW-Journeyman Wireman; CSLB-Electrical Contractors; Certified Trench Safety Coordinator.

LANGUAGES

- English (Native)
- Spanish (Fluent)

AWARD RECEIVED

- Recipient of the U.S. Small Business "Young Entrepreneur of the Year" Award in 1996, nationally.
- Recipient of the Certificate of Recognition by the City of Los Angeles for "Small Business" in 1997.
- Recipient of the Certificate of Recognition by the City of Riverside for "Small Business" in 1997.
- Recipient of the Certificate of Recognition by the State Assembly, Assemblyman Mr. Rod Pacheco, for the "Top 500 Inland Empire Small Business" in 1997.
- Ranked among the "Top 500 Inland Empire Hispanic Owned Companies" since 1997.
- Certification of Appreciation for our participation and maximization in the "Century Freeway Affirmative Action" by CPAAC.

PROFESSIONAL AND PERSONAL REFERENCES

Caltrans project #07-1224U4 (Electrical contract amount \$4.5 million)

Project completed in 2005

Description of project: Installation of traffic signals, ramps metering, sign illumination, Highway lighting, fiber optic communication, and electrical irrigation along the I-10 Freeway in Los Angeles County.

- Doug Dwason-Project Manager for prime contractor, Balfour Beatty  
Cell (949)232-3276 and Office (909)397-8040
- Patty Galvan- Resident Engineer, Office (909)594-4270
- Veronica Ross-Electrical Inspector, Cell (714)606-6311

CAREER EXPERIENCE CONTINUED

City of Redlands Contract #208300-72304/41008 (Electrical contract amount is \$218,800)  
Project completed in 2003

Description of project: Installation of traffic signals, modification of ramp metering, lighting and sign illumination.

- Bill Hensley-Senior Civil Engineer- Office (909)798-7586 ext 2
- Juan Olvera-Project Manager for general contractor, H&H Construction- Cell (951)453-7712 and Office (909)473-7331.

Caltrans project #08-4567V4) Electrical contract amount is \$938,238)  
Project completed in 2005

Description of project: Installation of lighting system along the I-5 Freeway in San Bernardino County.

- Gary Vogel-Project Manager form prime contractor, Granite Construction Cell: (661)549-3953 and Office (661)726-4447

Sanbag Projects, Segment 1, 2, 3, early segment 9, segment 9, and alder Ave. (Total electrical contract amount was \$3.2 million) Project completed in 2004.

Description of projects: Installation of traffic signals, ramp metering, sign illumination, highway lighting, fiber optic communication, and electrical irrigation along the I-10 Freeway in San Bernardino County.

- Harold Lantis-Sanbag Contract Manager- Cell (760)802-7730 and Office (909)875-8029 ext 213.
- Tim Hanable-Caltrans Inspector- Cell (951)712-0021
- Al Ortega- Project Manager for prime contractor, Yeager Shanska- Cell (714)240-5333.

City of Indio Project #ST0137 (Electrical contract amount was \$1.4 million)

Project completed in 2003

Description of project: Installation of street lighting system, traffic signals, electrical irrigation, and dry utilities.

- Gary Baxter-Area Manager for prime contractor, Yeager Shanska Construction- Cell (909)721-9749 and Office (760)343-5472
- Tommy Young-Project Manager for prime contractor- Cell (951)232-6618 and Office (760)343-5472
- Mehran Sepehri-City Engineer- Cell (760)250-2201

Additional Professional References:

- Zale Harris-Caltrans Inspector- Cell (951)289-0047
- Ray Robles-Caltrans area supervisor- Cell (909)799-0646

***Additional Bidder's Statements:***

If the Bidder feels that there is additional information which has not been included in the questionnaire above, and which would contribute to the qualification review, it may add that information in a statement here or on an attached sheet, appropriately marked:

Not Applicable

**E. VERIFICATION AND EXECUTION**

These Bid Forms shall be executed only by a duly authorized official of the Bidder:

I declare under penalty of perjury under the laws of the State of California that the foregoing information is true and correct:

Name of Bidder PTM General Engineering Service Inc.

Signature



Name Brian Mendoza

Title Vice President/Secretary

Dated 7/10/12

**INFORMATION REQUIRED OF BIDDERS**

**NON-COLLUSION AFFIDAVIT**

I, Brian Mendoza, being first duly sworn, deposes and says that he is Vice President/Secretary of PTM General Engineering Service Inc. the party making the attached bid; that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Name of Bidder PTM General Engineering Service Inc.

Signature 

Name Brian Mendoza

Title Vice President/Secretary

Dated 7/10/2012

**NON-COLLUSION AFFIDAVIT**

**EXHIBIT 15-H UDBE INFORMATION—GOOD FAITH EFFORTS****UDBE INFORMATION - GOOD FAITH EFFORTS**Federal-aid Project No. STPLH5065(011) Bid Opening Date 7/11/2012

The Colton (City/County of) San Bernardino established an Underutilized Disadvantaged Business Enterprise (UDBE) goal of 15.9 % for this project. The information provided herein shows that a good faith effort was made. (6.9% Race Conscious 9% Race Neutral)

Lowest, second lowest and third lowest bidders shall submit the following information to document adequate good faith efforts. Bidders should submit the following information even if the "Local Agency Bidder UDBE Commitment" form indicates that the bidder has met the UDBE goal. This will protect the bidder's eligibility for award of the contract if the administering agency determines that the bidder failed to meet the goal for various reasons, e.g., a UDBE firm was not certified at bid opening, or the bidder made a mathematical error.

Submittal of only the "Local Agency Bidder UDBE Commitment" form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

The following items are listed in the Section entitled "Submission of UDBE Commitment" of the Special Provisions:

- A. The names and dates of each publication in which a request for UDBE participation for this project was placed by the bidder (please attach copies of advertisements or proofs of publication):

<u>Publications</u>	<u>Dates of Advertisement</u>
<u>Goals Met</u>	

- B. The names and dates of written notices sent to certified UDBEs soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the UDBEs were interested (please attach copies of solicitations, telephone records, fax confirmations, etc.):

<u>Names of UDBEs Solicited</u>	<u>Date of Initial Solicitation</u>	<u>Follow Up Methods and Dates</u>
<u>Goals Met</u>		



- C. The items of work which the bidder made available to UDBE firms including, where appropriate, any breaking down of the contract work items (including those items normally performed by the bidder with its own forces) into economically feasible units to facilitate UDBE participation. It is the bidder's responsibility to demonstrate that sufficient work to facilitate UDBE participation was made available to UDBE firms.

Items of Work	Bidder Normally Performs Item (Y/N)	Breakdown of Items	Amount (\$)	Percentage Of Contract
Goals Met				

- D. The names, addresses and phone numbers of rejected UDBE firms, the reasons for the bidder's rejection of the UDBEs, the firms selected for that work (please attach copies of quotes from the firms involved), and the price difference for each UDBE if the selected firm is not a UDBE:

Names, addresses and phone numbers of rejected UDBEs and the reasons for the bidder's rejection of the UDBEs:

Goals Met

Names, addresses and phone numbers of firms selected for the work above:

Grand Electric Supply Inc.

2430 S. Santa Fe Ave., #510

Vista, CA 92084

Tel: 760-7445981

- E. Efforts made to assist interested UDBEs in obtaining bonding, lines of credit or insurance, and any technical assistance or information related to the plans, specifications and requirements for the work which was provided to UDBEs:

Goals Met

- F. Efforts made to assist interested UDBEs in obtaining necessary equipment, supplies, materials or related assistance or services, excluding supplies and equipment the UDBE subcontractor purchases or leases from the prime contractor or its affiliate:

Goals Met

- G. The names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using UDBE firms (please attach copies of requests to agencies and any responses received, i.e., lists, Internet page download, etc.):

Name of Agency/Organization	Method/Date of Contact	Results
-----------------------------	------------------------	---------

Goals Met

- H. Any additional data to support a demonstration of good faith efforts (use additional sheets if necessary):

Goals Met

NOTE: USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.

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## LOCAL AGENCY BIDDER'S DBE INFORMATION

This information should be submitted with your Bid. If it is not, and you are the apparent low Bidder or the apparent second lowest Bidder, or the apparent third lowest Bidder, it must be submitted and received as specified in *General Conditions: Section 2.10 – Submission of DBE Information*, included herein. Failure to submit the required DBE Information will be grounds for finding the Bid non-responsive and subject to rejection.

CONTRACT NO. STPLH5065 (011)  
 BID AMOUNT: \$ 53305  
 BID OPENING DATE: 7/11/2012  
 BIDDER'S NAME: PTM General Engineering Service Inc.  
 DBE GOAL FROM CONTRACT: 6.9% WOMEN: 9%  
 DBE PRIME CONTRACTOR CERTIFICATION<sup>1</sup>: \_\_\_\_\_

CONTRACT ITEM NO.	ITEM OF WORK AND DESCRIPTION OR SERVICE TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED <sup>2</sup>	DBE CERT. NO.	NAME OF DBEs (Must be certified on the date Bids are opened – include DBE address and phone number)	DOLLAR AMOUNT DBE
Item #1	Ptn. of material supply	99994	Grand Electric Supply Inc. 2430 S. Santa Fe Ave., #510 Vista, CA 92084 Tel: 760-7445981	14125.83
<p><b>IMPORTANT:</b> Identify all DBE firms being claimed for credit, Regardless of tier. Copies of the DBE quotes are required. Names of the First Tier DBE Subcontractors and their respective Item(s) to Work listed above shall be consistent, where applicable, With the names and items of work in the "List of Subcontractors" Submitted with your Bid pursuant to the Subcontractors Listing Law and <i>General Conditions: Section 2.10 – Submission of DBE Information</i>.</p> <p>DBE prime contractors shall enter their DBE certification number. DBE prime contractors shall indicate all work to be performed by DBEs including work performed by its own forces.</p> <p>If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished by DBE.</p> <p>See General Conditions: Section 2.08 – Disadvantaged Business Enterprise (DBE) to determine the credit allowed for DBE Firms</p>			<p>Total Claimed Participation</p> <p style="font-size: 1.2em;">\$ <u>8475.50</u></p> <p style="font-size: 1.2em;"><u>15.9</u> %</p>	<p>Brian Mendoza, Vice President/Secretary  <u>PTM General Engineering Service Inc</u>            Signature of Bidder</p> <p><u>7/10/12</u>      <u>951-710-1000</u>            Date      (Area Code) Tel. No</p> <p><u>Elizabeth McRae</u>            Person to Contact (Please Type or Print)</p>

CT Bidder – DBE Information (Rev 09-28-99)

## DBE INFORMATION – GOOD FAITH EFFORTS

The CITY of Colton's AADPLS (Annual Anticipated DBE percentage levels) for Federal Fiscal Year 2011-2012, and for this Project, is 15.90% minority participation. The information provided herein shows that adequate good faith efforts were made.

- A. The names and dates of each publication in which a request for DBE participation for this project was placed by the Bidder (please attach copies of advertisements or proofs of publication):

<u>Publications</u>	<u>Dates of Advertisements</u>
Goals Met	

- B. The names and dates of written notices sent to certified DBEs soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the DBEs were interested (please attach copies of solicitations, telephone records, fax confirmations, etc.):

<u>Names of DBEs Solicited</u>	<u>Date of Initial Solicitation</u>	<u>Follow Up Methods and Dates</u>
Goals Met		

- C. The items of work which the Bidder made available to DBE firms, including, where appropriate, any breaking down of the contract work items (including those items normally performed by the Bidder with its own forces) into economically feasible units to facilitate DBE participation. It is the

## DBE INFORMATION – GOOD FAITH EFFORTS (Continued)

Bidder's responsibility to demonstrate that sufficient work to facilitate DBE participation was made available to DBE firms.

Items of Work	Breakdown of Items
Goals Met	

- D. The names, addresses and phone numbers of rejected DBE firms, the reasons for the Bidder's rejection of the DBEs, and the firms selected for that work (please attach copies of quotes from the firms involved):

Names, addresses and phone numbers of rejected DBEs and the reasons for the Bidders rejection of the DBEs:

Goals Met

## DBE INFORMATION – GOOD FAITH EFFORTS (Continued)

Names, addresses and phone numbers of firms selected for the work above:

Grand Electric Supply Inc.

2430 S. Santa Fe Ave., #510

Vista, CA 92084

Tel: 760-7445981

- E. Efforts made to assist interested DBE's in obtaining bonding, lines of credit or insurance, and any technical assistance or information related to the plans, specifications and requirements for the work which was provided to DBEs:

Goals Met

- F. Efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services, excluding supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate:


Goals Met

received, i.e., lists, internet page download, etc.).

**Abstract**

necessary):



DATE: June 14, 2012  
FROM:  Amer Jakher, P.E.  
CITY ENGINEER  
TO: ALL PLAN HOLDERS

**ADDENDUM I**  
**PUBLIC WORKS DEPARTMENT**  
**MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL**  
**MODIFICATION PROJECT NO. STPLH 5065(011)**  
**EFFECTIVE JUNE 14, 2012**

As of June 14, 2012, the following amendment shall be incorporated into the existing Contract Documents and Specifications for the *MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)*:

- Page 2 of Notice of Inviting Bids fourth paragraph: C-12 shall be replaced by C-10.
- Bid opening date shall be extended to June 27, 2012 3:00 PM.

If you have any questions, please contact Victor Ortiz (email: [vortiz@ci.colton.ca.us](mailto:vortiz@ci.colton.ca.us)) Aftab Hussain (email: [ahussain@ci.colton.ca.us](mailto:ahussain@ci.colton.ca.us)), Public Works Department @ (909) 370-5065, FAX (909) 370-5072.

Thank you.

End of Addendum I

A SIGNED COPY OF THIS ADDENDUM MUST BE INCLUDED IN YOUR BID PROPOSAL

**BID SET**



Brian Mendoza, Vice President/Secretary  
PTM General Engineering Service Inc.

Contractor's Signature of Acknowledgment

DATE: June 20, 2012

FROM:  Amer Jakher, P.E.  
CITY ENGINEER

TO: ALL PLAN HOLDERS

**ADDENDUM II**  
**PUBLIC WORKS DEPARTMENT**  
**MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL**  
**MODIFICATION PROJECT NO. STPLH 5065(011)**  
**EFFECTIVE JUNE 20, 2012**

As of June 20, 2012, the following amendment shall be incorporated into the existing Contract Documents and Specifications for the *MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)*:

- Bid opening date shall be extended to Wednesday July 11, 2012, 3:00 PM.

If you have any questions, please contact Victor Ortiz (email: [vortiz@ci.colton.ca.us](mailto:vortiz@ci.colton.ca.us)) Aftab Hussain (email: [ahussain@ci.colton.ca.us](mailto:ahussain@ci.colton.ca.us)), Public Works Department @ (909) 370-5065, FAX (909) 370-5072.

Thank you.


End of Addendum II

A SIGNED COPY OF THIS ADDENDUM MUST BE INCLUDED IN YOUR BID PROPOSAL

**BID SET**



Brian Mendoza, Vice President/Secretary  
PTM General Engineering Service Inc.  
Contractor's Signature of Acknowledgment

DATE: June 27, 2012  
FROM:  Amer Jakher, P.E.  
CITY ENGINEER  
TO: ALL PLAN HOLDERS

**ADDENDUM III  
PUBLIC WORKS DEPARTMENT  
MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL  
MODIFICATION PROJECT NO. STPLH 5065(011)  
EFFECTIVE JUNE 27, 2012**

As of June 27, 2012, the following amendment shall be incorporated into the existing Contract Documents and Specifications for the *MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)*:


- Plan, No. 6135 dated 07-30-2012 shall be replaced with Plan, No. 6135 dated 6-19-2012. "Note Pole B has been added to the pole schedule".
- Conduit #1 (Pole A to Pole B) is not existing. The contractor shall provide the conduit, conductor and pullbox for Pole B signal head.
- Pedestrian head-2P at the NE corner and push button (NE and NW corner) are not existing, contractor will provide the pedestrian head, push button and the necessary wiring.
- General Condition, page 51, article 29 field office is not required.
- Technical Provision Page 8 installation of new controller is not required.

If you have any questions, please contact Victor Ortiz (email: [vortiz@ci.colton.ca.us](mailto:vortiz@ci.colton.ca.us)) Aftab Hussain (email: [ahussain@ci.colton.ca.us](mailto:ahussain@ci.colton.ca.us)), Public Works Department @ (909) 370-5065, FAX (909) 370-5072.

End of Addendum III

**A SIGNED COPY OF THIS ADDENDUM MUST BE INCLUDED IN YOUR BID PROPOSAL**

**BID SET**

 Brian Mendoza, Vice President/Secretary  
PTM General Engineering Service Inc.  
Contractor's Signature of Acknowledgment

DATE: July 10, 2012

FROM:  Amer Jakher, P.E.  
CITY ENGINEER

TO: ALL PLAN HOLDERS

**ADDENDUM IV  
PUBLIC WORKS DEPARTMENT  
MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL  
MODIFICATION PROJECT NO. STPLH 5065(011)  
EFFECTIVE JULY 10, 2012**

As of July 10, 2012, the following amendment shall be incorporated into the existing Contract Documents and Specifications for the *MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)*:

- General Specification Instruction to Bidders Page 6 Disadvantaged Business Enterprise (DBE) shall be "The CITY of Colton's AADPLS (Annual Anticipated DBE participation levels) for Federal Fiscal Year 2009-2010, and for this Project, is 15.9% minority participation( 9.0% Race Neutral; 6.9% Race Conscious)."

If you have any questions, please contact Victor Ortiz (email: [vortiz@ci.colton.ca.us](mailto:vortiz@ci.colton.ca.us)) Aftab Hussain (email: [ahussain@ci.colton.ca.us](mailto:ahussain@ci.colton.ca.us)), Public Works Department @ (909) 370-5065, FAX (909) 370-5072.

End of Addendum IV

A SIGNED COPY OF THIS ADDENDUM MUST BE INCLUDED IN YOUR BID PROPOSAL

**BID SET**



Brian Mendoza, Vice President/Secretary  
PTM General Engineering Service Inc.

Contractor's Signature of Acknowledgment

## **Exhibit B**

Rakan, Inc. Bid

**BID FORM**

NAME OF BIDDER: Rakan Inc.

The undersigned, hereby declare that we have carefully examined the location of the proposed Work, and have read and examined the Contract Documents, including all plans, specifications, and all addenda, if any, for the following Project:

**MT. VERNON AND VALLEY BLVD. TRAFFIC SIGNAL  
MODIFICATION PROJECT NO. STPLH 5065(011)**

We hereby propose to furnish all labor, materials, equipment, tools, transportation, and services, and to discharge all duties and obligations necessary and required to perform and complete the Project for the following TOTAL BID PRICE:

BASE BID	BASE BID PRICE (IN WRITTEN FORM)	BID PRICE (IN NUMBERS)
TOTAL BID PRICE	<i>Forty Six Thousand Eight Hundred</i>	<i>\$46,800,-</i>

In case of discrepancy between the written price and the numerical price, the written price shall prevail.

## BID SCHEDULE

### MT. VERNON AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)

TIME OF COMPLETION: 60 CALENDAR DAYS

TEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENDED AMOUNT
1.	Traffic Signal and lighting system (Including all Electrical Equipment and Concrete Work)	LS	1	40,000,-	40,000,-
2.	Signing and Striping Removal (by Wet Sandblasting)	LS	1	2200,-	2200,-
3.	Signing and Striping Installation (Thermoplastic)	LS	1	3200,-	3200,-
4.	Temporary Traffic Control	LS	1	900,-	900,-
5.	Mobilization	LS	1	500,-	500,-

TOTAL BID PRICE :

46,800,-

Total Bid Price in Numbers

Forty Six Thousand eight hundred

Total Bid Price in Written Form

In case of discrepancy between the unit price and the item cost set forth for a unit basis item, the unit price shall prevail and, shall be utilized as the basis for determining the lowest responsive, responsible bidder. However, if the amount set forth as a unit price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or is the same amount as the entry in the "Item Cost" column, then the amount set forth in the "Item Cost" column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the unit price. Final payment shall be determined by the Engineer from measured quantities of work performed based upon the unit price.

In case of discrepancy between the written price and the numerical price, the written price shall prevail.

BID SCHEDULE

**CONTRACTOR'S CERTIFICATE REGARDING  
WORKERS' COMPENSATION**

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract.

Name of Bidder Rakan Inc.

Signature Firas Kassem

Name Firas Kassem

Title President

Dated 6/18/12

**CONTRACTOR'S CERTIFICATE REGARDING  
WORKERS' COMPENSATION**



STATE OF CALIFORNIA )  
 )  
CITY OF \_\_\_\_\_ )

SS.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 2009, before me,  
\_\_\_\_\_, a Notary Public in and for said state, personally appeared  
\_\_\_\_\_, known to me to be the person whose name is  
subscribed to the within instrument as the Attorney-In-Fact of the (Surety) acknowledged to me  
that he subscribed the name of the \_\_\_\_\_ (Surety) thereto and his  
own name as Attorney-In-Fact.

\_\_\_\_\_  
Notary Public in and for said State

(SEAL)

Commission expires: \_\_\_\_\_

NOTE: A copy of the Power-of-Attorney to local representatives of the bonding company must  
be attached hereto.

**BID BOND**

Portion of the Work	Subcontractor	Location of Business	% of the Work

Name of Bidder Rakan Inc.

Signature Firas Kassem

Name and Title Firas Kassem / President

Dated 01/18/12

**DESIGNATION OF SUBCONTRACTORS**

7.0 If an individual or a partnership, answer the following:

7.1 Date of Organization: N/A

7.2 Name and address of all partners (state whether general or limited partnership):

N/A

8.0 If other than a corporation or partnership, describe organization and name principals:

N/A

9.0 List other states in which Bidder's organization is legally qualified to do business.

N/A

10.0 What type of work does the Bidder normally perform with its own forces?

electrical, concrete.

11.0 Has Bidder ever failed to complete any work awarded to it? If so, note when, where, and why:

No

12.0 Within the last five years, has any officer or partner of Bidder's organization ever been an officer or partner of another organization when it failed to complete a contract? If so, attach a separate sheet of explanation:

No

**INFORMATION REQUIRED OF BIDDERS**

**B. LIST OF CURRENT PROJECTS (Backlog)**

[\*\*Duplicate Page if needed for listing additional current projects.\*\*]

Project	Description of Bidder's Work	Completion Date	Cost of Bidder's Work	Contact Name & Phone
See Attached				

#### D. EXPERIENCE AND TECHNICAL QUALIFICATIONS QUESTIONNAIRE

##### Personnel:

The Bidder shall identify the key personnel to be assigned to this project in a management, construction supervision or engineering capacity.

1. List each person's job title, name and percent of time to be allocated to this project:

Firas Kassem Project Engineer / President  
David Herron Foreman Full time.

2. Summarize each person's specialized education:

Firas Kassem BS in Civil Engineering.

3. List each person's years of construction experience relevant to the project:

Firas Kassem 7 years.  
David Herron 20 years.

4. Summarize such experience:

Firas Kassem manage all aspects of project (office & field)  
David manage all field issues & daily activities.

Bidder agrees that personnel named in this Bid will remain on this Project until completion of all relevant Work, unless substituted by personnel of equivalent experience and qualifications approved in advance by the City.

### NON-COLLUSION AFFIDAVIT

I, Firas Kassem, being first duly sworn, deposes and says that he is President of Rakan Inc. the party making the attached bid; that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Name of Bidder Rakan Inc.

Signature Firas Kassem

Name Firas Kassem

Title President

Dated 6/18/12.

NON-COLLUSION AFFIDAVIT

## EXHIBIT 15-H UDBE INFORMATION—GOOD FAITH EFFORTS

## UDBE INFORMATION - GOOD FAITH EFFORTS

Federal-aid Project No. STPLH 5065 Bid Opening Date 7/11/12

The \_\_\_\_\_ (City/County of) \_\_\_\_\_ established an Underutilized Disadvantaged Business Enterprise (UDBE) goal of 15.9% for this project. The information provided herein shows that a good faith effort was made.

Lowest, second lowest and third lowest bidders shall submit the following information to document adequate good faith efforts. Bidders should submit the following information even if the "Local Agency Bidder UDBE Commitment" form indicates that the bidder has met the UDBE goal. This will protect the bidder's eligibility for award of the contract if the administering agency determines that the bidder failed to meet the goal for various reasons, e.g., a UDBE firm was not certified at bid opening, or the bidder made a mathematical error.

Submittal of only the "Local Agency Bidder UDBE Commitment" form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

The following items are listed in the Section entitled "Submission of UDBE Commitment" of the Special Provisions:

- A. The names and dates of each publication in which a request for UDBE participation for this project was placed by the bidder (please attach copies of advertisements or proofs of publication):

Publications	Dates of Advertisement
<u>N/A</u>	<u>—</u>

- B. The names and dates of written notices sent to certified UDBEs soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the UDBEs were interested (please attach copies of solicitations, telephone records, fax confirmations, etc.):

Names of UDBEs Solicited	Date of Initial Solicitation	Follow Up Methods and Dates
<u>America Inc</u>	<u>7/1/12</u>	<u>Phone calls</u>
<u>RAY Trucking</u>	<u>7/2/12</u>	<u>Phone calls</u>

- F. Efforts made to assist interested UDBEs in obtaining necessary equipment, supplies, materials or related assistance or services, excluding supplies and equipment the UDBE subcontractor purchases or leases from the prime contractor or its affiliate:

N/A

- G. The names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using UDBE firms (please attach copies of requests to agencies and any responses received, i.e., lists, Internet page download, etc.):

Name of Agency/Organization	Method/Date of Contact	Results
N/A		

- H. Any additional data to support a demonstration of good faith efforts (use additional sheets if necessary):

N/A

NOTE: USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.



## LOCAL AGENCY BIDDER'S DBE INFORMATION

This information should be submitted with your Bid. If it is not, and you are the apparent low Bidder or the apparent second lowest Bidder, or the apparent third lowest Bidder, it must be submitted and received as specified in *General Conditions: Section 2.10 - Submission of DBE Information*, included herein. Failure to submit the required DBE Information will be grounds for finding the Bid non-responsive and subject to rejection.

CONTRACT NO. STPLH 5065(011)  
 BID AMOUNT: \$ 46,800.-  
 BID OPENING DATE: 7/11/12  
 BIDDER'S NAME: Rakaw Inc  
 DBE GOAL FROM CONTRACT: 15.9 WOMEN: \_\_\_\_\_  
 DBE PRIME CONTRACTOR CERTIFICATION<sup>1</sup>: N/A

CONTRACT ITEM NO.	ITEM OF WORK AND DESCRIPTION OR SERVICE TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED <sup>2</sup>	DBE CERT. NO.	NAME OF DBEs (Must be certified on the date Bids are opened - include DBE address and phone number)	DOLLAR AMOUNT DBE
1	Equipment Rental	12026	Amerc Inc 23437 Aburyale Munietta CA 92562 760-535-5550	\$8000.-
1	Makewell	2037	PAJ Trucking P.O. Box 6553 Torrance CA 90504 310-538-9891	\$3000.-
2-	Trucking			\$2000.-
<p><b>IMPORTANT:</b> Identify all DBE firms being claimed for credit, Regardless of tier. Copies of the DBE quotes are required. Names of the First Tier DBE Subcontractors and their respective Item(s) fo Work listed above shall be consistent, where applicable, With the names and items of work in the "Lst of Subcontractors" Submitted with your Bid pursuant to the Subcontractors Listing Law and <i>General Conditions: Section 2.10 - Submission of DBE Information</i>.</p> <p>DBE prime contractors shall enter their DBE certification number. DBE prime contractors shall indicate all work to be performed by DBEs including work performed by its own forces.</p> <p>If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished by DBE.</p> <p>See General Conditions: Section 2.08 - Disadvantaged Business Enterprise (DBE) to determine the credit allowed for DBE Firms</p>			<p>Total Claimed Participation</p> <p style="text-align: center;">\$ <u>13,000.-</u></p> <p style="text-align: center;"><u>27</u> %</p>	<p><u>Firas Kassem</u> Signature of Bidder</p> <p><u>7/11/12</u> <u>949-698-9872</u> Date (Area Code) Tel. No</p> <p><u>Firas Kassem</u> Person to Contact (Please Type or Print)</p>

CT Bidder - DBE Information (Rev 09-28-99)

## DBE INFORMATION – GOOD FAITH EFFORTS (Continued)

Bidder's responsibility to demonstrate that sufficient work to facilitate DBE participation was made available to DBE firms.

Items of Work	Breakdown of Items
N/A	

- D. The names, addresses and phone numbers of rejected DBE firms, the reasons for the Bidder's rejection of the DBEs, and the firms selected for that work (please attach copies of quotes from the firms involved):

Names, addresses and phone numbers of rejected DBEs and the reasons for the Bidders rejection of the DBEs:

N/A

**DBE INFORMATION – GOOD FAITH EFFORTS (Continued)**

- G. The names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using DBE firms (please attach copies of requests to agencies and any responses received, i.e., lists, Internet page download, etc.):

Name of Agency/Organization	Method/Date of Contact	Results
WPA		


- H. Any additional data to support a demonstration of good faith efforts (use additional sheets if necessary):

W/A.

## **List of Reference**

<b>Owner</b>	<b>Prime</b>	<b>Name to contact</b>	<b>Description</b>	<b>Amount</b>
Caltrans Haster/ 22 FRW	Socal Engineers 949-783-0796	Tim Khairi	Traffic Signal underground conduit	\$124,000
Caltran Knott/ 91 FRW	Socal Engineers 949-783-0796	Tim Khairi	Traffic signal street light, conduit	\$110,000
Fontana	Socal Engineers 949-783-0796	Tim Khairi	Traffic Signal	\$50,000
Downy	OL development 949-208-0138	Omar lavin	Traffic signal street light, conduit	\$70,000
County of LA	YAKAR	Joseph 818-633-1068	Street light, conduit	\$150,000

2312 Park Ave Ste 116  
Tustin, ca 92782  
Phone (949)-698-9872, Fax (949)-757-0114  
Email: Rakanine@gmail.com

DATE: June 14, 2012  
FROM:  Amer Jakher, P.E.  
CITY ENGINEER  
TO: ALL PLAN HOLDERS

**ADDENDUM I**  
**PUBLIC WORKS DEPARTMENT**  
**MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL**  
**MODIFICATION PROJECT NO. STPLH 5065(011)**  
**EFFECTIVE JUNE 14, 2012**

As of June 14, 2012, the following amendment shall be incorporated into the existing Contract Documents and Specifications for the *MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)*:

- Page 2 of Notice of Inviting Bids fourth paragraph: **C-12** shall be replaced by **C-10**.
- Bid opening date shall be extended to **June 27, 2012 3:00 PM.**

If you have any questions, please contact Victor Ortiz (email: [vortiz@ci.colton.ca.us](mailto:vortiz@ci.colton.ca.us)) Aftab Hussain (email: [ahussain@ci.colton.ca.us](mailto:ahussain@ci.colton.ca.us)), Public Works Department @ (909) 370-5065, FAX (909) 370-5072.


Thank you.

End of Addendum I

**A SIGNED COPY OF THIS ADDENDUM MUST BE INCLUDED IN YOUR BID PROPOSAL**

**BID SET**

Firas Klassen  
Contractor's Signature of Acknowledgment

DATE: June 20, 2012  
FROM:  Amer Jakher, P.E.  
CITY ENGINEER  
TO: ALL PLAN HOLDERS

**ADDENDUM II**  
**PUBLIC WORKS DEPARTMENT**  
**MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL**  
**MODIFICATION PROJECT NO. STPLH 5065(011)**  
**EFFECTIVE JUNE 20, 2012**

As of June 20, 2012, the following amendment shall be incorporated into the existing Contract Documents and Specifications for the *MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)*:

- Bid opening date shall be extended to Wednesday July 11, 2012, 3:00 PM.

If you have any questions, please contact Victor Ortiz (email: [vortiz@ci.colton.ca.us](mailto:vortiz@ci.colton.ca.us)) Aftab Hussain (email: [ahussain@ci.colton.ca.us](mailto:ahussain@ci.colton.ca.us)), Public Works Department @ (909) 370-5065, FAX (909) 370-5072.


Thank you.

End of Addendum II

A SIGNED COPY OF THIS ADDENDUM MUST BE INCLUDED IN YOUR BID PROPOSAL

**BID SET**

  
Contractor's Signature of Acknowledgment

DATE: June 27, 2012  
FROM:  Amer Jakher, P.E.  
CITY ENGINEER  
TO: ALL PLAN HOLDERS

**ADDENDUM III**  
**PUBLIC WORKS DEPARTMENT**  
**MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL**  
**MODIFICATION PROJECT NO. STPLH 5065(011)**  
**EFFECTIVE JUNE 27, 2012**

As of June 27, 2012, the following amendment shall be incorporated into the existing Contract Documents and Specifications for the **MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)**:

- Plan, No. 6135 dated 07-30-2012 shall be replaced with Plan, No. 6135 dated 6-19-2012. "Note Pole B has been added to the pole schedule".
- Conduit #1 (Pole A to Pole B) is not existing. The contractor shall provide the conduit, conductor and pullbox for Pole B signal head.
- Pedestrian head-2P at the NE corner and push button (NE and NW corner) are not existing, contractor will provide the pedestrian head, push button and the necessary wiring.
- General Condition, page 51, article 29 field office is not required.
- Technical Provision Page 8 installation of new controller is not required.

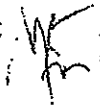
If you have any questions, please contact Victor Ortiz (email: [vortiz@ci.colton.ca.us](mailto:vortiz@ci.colton.ca.us)) Aftab Hussain (email: [ahussain@ci.colton.ca.us](mailto:ahussain@ci.colton.ca.us)), Public Works Department @ (909) 370-5065, FAX (909) 370-5072.

End of Addendum III

**A SIGNED COPY OF THIS ADDENDUM MUST BE INCLUDED IN YOUR BID PROPOSAL.**

**BID SET**

  
Contractor's Signature of Acknowledgment

DATE: July 10, 2012  
FROM:  Amer Jakher, P.E.  
CITY ENGINEER  
TO: ALL PLAN HOLDERS

**ADDENDUM IV  
PUBLIC WORKS DEPARTMENT  
MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL  
MODIFICATION PROJECT NO. STPLH 5065(011)  
EFFECTIVE JULY 10, 2012**

As of July 10, 2012, the following amendment shall be incorporated into the existing Contract Documents and Specifications for the *MT. VERNON AVE. AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)*:

- General Specification Instruction to Bidders Page 6 Disadvantaged Business Enterprise (DBE) shall be "The CITY of Colton's AADPLS (Annual Anticipated DBE participation levels) for Federal Fiscal Year 2009-2010, and for this Project, is 15.9% minority participation( 9.0% Race Neutral; 6.9% Race Conscious)."

If you have any questions, please contact Victor Ortiz (email:vortiz@ci.colton.ca.us) Aftab Hussain (email: [ahussain@ci.colton.ca.us](mailto:ahussain@ci.colton.ca.us)), Public Works Department @ (909) 370-5065, FAX (909) 370-5072.

End of Addendum IV

A SIGNED COPY OF THIS ADDENDUM MUST BE INCLUDED IN YOUR BID PROPOSAL

**BID SET**

  
Contractor's Signature of Acknowledgment



## BID BOND

The makers of this bond are, Rakan Inc, as Principal, and Contractors Bonding and Insurance Company, as Surety and are held and firmly bound unto the City of Colton, hereinafter called the City, in the penal sum of TEN PERCENT (10%) OF THE TOTAL BID PRICE of the Principal submitted to CITY for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the accompanying bid dated June 20, 2012, for **MT. VERNON AND VALLEY BLVD. TRAFFIC SIGNAL MODIFICATION PROJECT NO. STPLH 5065(011)**

If the Principal does not withdraw its bid within the time specified in the Contract Documents; and if the Principal is awarded the Contract and provides all documents to the City as required by the Contract Documents; then this obligation shall be null and void. Otherwise, this bond will remain in full force and effect.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract Documents shall in affect its obligation under this bond, and Surety does hereby waive notice of any such changes.

In the event a lawsuit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all litigation expenses incurred by the City in such suit, including reasonable attorneys' fees, court costs, expert witness fees and expenses.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals this 14 day of June, 2012, the name and corporate seal of each corporation.

(Corporate Seal)



(Corporate Seal)

(Attach Attorney-in-Fact Certificate)

Rakan Inc

Principal

By Firas A. Kassem  
Title Firas A. Kassem President

Contractors Bonding and  
Surety Insurance Company

By Justin L. Kelley  
Attorney-in-Fact  
Justin L. Kelley  
Title Attorney-in-Fact

## BID BOND



Contractors Bonding and Insurance Company  
1213 Valley Street  
P.O. Box 9271  
Seattle, WA 98109-0271

## POWER OF ATTORNEY

### Contractors Bonding and Insurance Company

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That **Contractors Bonding and Insurance Company**, a Washington corporation, does hereby make, constitute and appoint:  
Justin L. Kelley

in the City of Newport Beach, State of California its true and lawful Agent and Attorney in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, the following described bond.

Any and all bonds, undertakings, and recognizances in an amount not to exceed Ten Million and 00/100 Dollars ( \$10,000,000.00 ) for any single obligation.

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon this Company as if such bond had been executed and acknowledged by the regularly elected officers of this Company.

The **Contractors Bonding and Insurance Company** further certifies that the following is a true and exact copy of the Resolution adopted by the Board of Directors of **Contractors Bonding and Insurance Company**, and now in force to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the Corporation shall be executed in the corporate name of the Corporation by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Corporation. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the Corporation. The signature of any such officer and the corporate seal may be printed by facsimile or other electronic image."

IN WITNESS WHEREOF, the **Contractors Bonding and Insurance Company** has caused these presents to be executed by its Vice President with its corporate seal affixed this 2nd day of March, 2012



**Contractors Bonding and Insurance Company**

Roy C. Die

Vice President

#### CERTIFICATE

I, the undersigned officer of **Contractors Bonding and Insurance Company**, a stock corporation of the State of Washington, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the **Contractors Bonding and Insurance Company** this 14 day of June, 2012

**Contractors Bonding and Insurance Company**

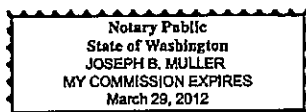
Roy C. Die

Vice President

State of Washington }  
County of King } SS

On this 2nd day of March, 2012, before me, a Notary Public, personally appeared Roy C. Die, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the **Contractors Bonding and Insurance Company** and acknowledged said instrument to be the voluntary act and deed of said corporation.

Joseph B. Muller  
Joseph B. Muller Notary Public



0469746032912

A0059511

167

## ACKNOWLEDGMENT

State of California

County of Orange

On 6/14/12 before me, JESSICA S. THOMPSON, NOTARY PUBLIC  
(insert name and title of the officer)

personally appeared Justin L. Kelley  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



## **Exhibit C**

Letter of Non-Responsibility to Rakan



September 12, 2012

**BY EMAIL RAKANINC@GMAIL.COM &  
CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Firas Kassem, President  
Rakan, Inc.  
2312 Park Ave, Suite 116  
Tustin, CA 92782

**Re: NOTICE OF NON-RESPONSIBILITY  
Project: Mt. Vernon and Valley Blvd. Traffic Signal Modification  
Project No. STPLH 5065(011)**

Dear Mr. Kassem:

This notice is in regards to the bid submitted by Rakan, Inc. to the City of Colton ("City") for the above-referenced project ("Project"). On July 11, 2012, the sealed bid opening took place in the City Hall Conference Room. Rakan, Inc., was the apparent lowest monetary bidder with a bid of \$46,800.00.

City staff proceeded to review the bid submitted by Rakan to ensure that Rakan's bid was responsive to the call for bids and that Rakan was a responsible bidder capable of performing the Project. Section B of the Information Required of Bidders requests that each bidder provide a list of current projects. In response, Rakan attached a "List of References" to its bid, which gave details regarding projects similar to the City's Project. For each project, the "List of References" provided the owner, the prime contractor, a project contact, a description of the project and the contract amount.

City staff attempted to contact each of the project contacts in Rakan's "List of References." City staff noted that the project contacts listed by Rakan, which were supposed to be several different individuals, were in fact in each case the same person. When staff contacted you to address the possibility that Rakan's references were fictitious, staff noted that you were the same person that staff had spoken with when it attempted to contact Rakan's project contacts. In noting that you had posed as Rakan's project contacts, staff further contacted the prime contractors listed by Rakan to separately verify that Rakan's participation in the projects listed in Rakan's "List of References" was fabricated. In each case, there was no record that Rakan had participated in any of the projects listed.

The City is required to award a competitively bid contract to the lowest responsible bidder submitting a responsive bid. Public Contract Code section 1103 defines the term "responsible bidder" as a "bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the public works contract." The City may reject a lowest monetary bidder that is deemed non-responsible. (*Great W. Contractors, Inc. v. Irvine Unified Sch. Dist.* (2010) 187 Cal.App.4th 1425.)

Firas Jassem, President  
Rakan, Inc.  
September 12, 2012  
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The City has concluded that Rakan has fabricated its "List of References" for the purpose of deceiving the City with respect to its qualifications and experience. As such, Rakan has failed to demonstrate the attribute of trustworthiness. Further, Rakan has not demonstrated that it possesses the experience necessary to perform the Project. Accordingly, City staff intends to recommend that the City Council reject Rakan's bid based on a finding of non-responsibility and award the contract to the second low bidder on the Project, PTM General Engineering, Inc.

If you wish to contest the City's non-responsibility determination, the City will provide you an opportunity to do so at a public hearing. At the hearing, you may present witnesses and documentary evidence to dispute the City's basis for finding Rakan non-responsible. You are not required to, but have the right to legal counsel representation at the hearing.

If you intend to request a public hearing, please provide your request in writing to the City by no later than September 19, 2012 by 5:00PM. If the City does not receive your request by that date, the City will consider your right to a public hearing waived and City staff will move forward with recommending award of the contract to PTM General Engineering, Inc. If you request a hearing, it will be held no later than September 26, 2012.

If you have any questions, please contact me at (909)370-5065.

Sincerely,



Amer Jakher, P.E.,  
Public Works Director